

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION**

EARL LEWIS ANDERSON, JR. PLAINTIFF

V. CIVIL ACTION NO. 2:05cv1-MTP

RON KING, et al. DEFENDANTS

Consolidated With

EARL LEWIS ANDERSON, JR. PLAINTIFF

V. CIVIL ACTION NO. 2:05cv2174-MTP

DAVID HOLLINGHEAD, et al. DEFENDANTS

ORDER

THIS MATTER is before the court on the plaintiff's Motion for Transcripts [209].

Having considered the motion and the applicable law, the court finds that the motion should be denied.

In his Motion [209], plaintiff requests the transcript from a hearing that took place on October 21, 2004 in another civil action; the transcript from the *Spears* hearing held in this action on September 6, 2006; and the transcript from the pretrial conference held in this matter on March 7, 2008. An indigent prisoner does not have a constitutional right to free copies of transcripts of court proceedings in order search for possible defects. *See U.S. v. Herrera*, 474 F.2d 1049, 1049 (1973); *Wright v. Curry*, 122 Fed. Appx. 724, No. 04-10304, 2004 WL 2977437, at *1 (5th Cir. Dec. 17, 1994). Further, the transcript from the hearing in another matter that took place four years ago is irrelevant to this action; therefore, plaintiff's request should be denied. Finally, plaintiff's request for a copy of the transcript from the pretrial

conference in this action is moot; plaintiff was provided with a service copy of the transcript, as it was filed as an exhibit to defendants' Motion to Dismiss [203] on March 19, 2008.

IT IS, THEREFORE, ORDERED that plaintiff's Motion for Transcripts [209] is DENIED.

SO ORDERED this the 31st day of March, 2008.

s/ Michael T. Parker
United States Magistrate Judge